Office of the Commissioner of Official Languages

Performance Report for the period ending March 31, 2009

The Honourable Josée Verner
President of the Queen's Privy Council of Canada

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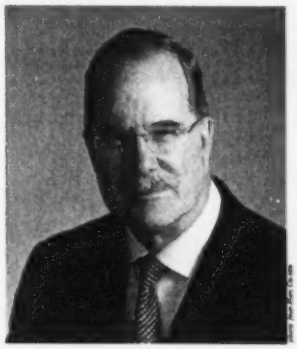
Message from the Commissioner of Official Languages



I am pleased to present the Performance Report of the Office of the Commissioner of Official Languages (OCOL) for the fiscal year ending March 31, 2009.

An important achievement in 2008–2009 was the renewal of my ombudsman role, which is based on two principles: a more effective resolution of complaints with sustainable results, and the prevention of problems that lead to complaints.

OCOL is becoming more proactive in its interventions, driven mainly by our constant concern for ongoing systemic issues to full compliance with the *Official Languages Act* (the Act). One example of preventive interventions is my study released in December 2008, *Raising our Game for Vancouver 2010: Towards a Canadian Model of Linguistic Duality in International Sport.* In the report, I issued recommendations to the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games to ensure appropriate service delivery during the event. OCOL also conducted an official languages awareness campaign with over 20 federal institutions that will have a key role in the 2010 Games. The campaign focused on raising awareness about the importance of integrating official languages into the planning of 2010 initiatives, both in terms of service to the public and the advancement of both official languages.

My staff conducted audits and studies throughout the year, which provided Parliament with reliable information to enable its members to fulfill their important role of holding the federal government accountable for its stewardship of the equal status of English and French in Canada. My 2007–2008 annual report and its seven recommendations informed Parliament, Canadians and government leaders of areas where changes are essential to ensure the equal status of English and French in Canada.

As 2009 marks the 40th anniversary of the enactment of the Act, the timing could not be more suitable to highlight a landmark decision of the Supreme Court of Canada in which I participated as co-appellant during the 2008–2009 period. Indeed, linguistic equality has taken an important step forward with the Supreme Court of Canada's decision in *DesRochers v. Canada (Industry),* 2009 SCC 8, which will mark history as the first case in which the Supreme Court interpreted the nature and scope of linguistic obligations in communications with and delivery of services to the public under Part IV of the Act. This case will continue to be a reference and a valuable interpretive tool when measuring the compliance of federal institutions.

To ensure that linguistic duality remains a priority in Canada, OCOL continued to monitor the government's actions under the *Roadmap for Canada's Linguistic Duality 2008–2013: Acting for the Future*, which was announced in June 2008.

OCOL took part in many activities to increase Canadians' awareness of the values of linguistic duality and the important role played by official language minority communities across the

country. For example, OCOL was actively involved in promoting both official languages during the 400th anniversary of the founding of Québec City.

Finally, OCOL continued to invest in organizational management, namely to define the requirements of suitable informatics infrastructure, which is essential to program delivery, accountability to Parliament and the internal integration of decisions and planning.

Graham Fraser

Section I: Overview

1.1 Summary Information

Raison d'être

The Commissioner's mandate is to promote the *Official Languages Act*, oversee its full implementation, protect the language rights of Canadians and promote linguistic duality and bilingualism in Canada.

Responsibilities

The mandate of the Commissioner of Official Languages is set out in section 56 of the *Official Languages Act*:

> It is the duty of the Commissioner to take all actions and measures within the authority of the Commissioner with a view to ensuring recognition of the status of each of the official languages and compliance with the spirit and intent of this Act in the administration of the affairs of federal institutions, including any of their activities relating to the advancement of English and French in Canadian society.

The Commissioner therefore has a mandate to take all measures within his power to ensure that the three main objectives of the *Official Languages Act* are met, which are to:

- Ensure the equality of English and French in Parliament, the Government of Canada, the federal administration and the institutions subject to the Act;
- Support the development of official language communities in Canada; and
- Advance the equality of status and use of English and French in Canadian society.

The Commissioner of Official Languages is appointed by commission under the Great Seal, after approval by resolution of the House of Commons and the Senate, for a seven-year term. The Commissioner of Official Languages reports directly to Parliament.

In this context, OCOL has a distinct mandate under the *Official Languages Act.* Each federal institution is responsible for implementing the Act within its area of jurisdiction. As well, the following federal entities have particular responsibilities with respect to official languages (for a description of their specific roles refer to OCOL's Web site at www.ocol-clo.gc.ca/html/mission_e.php):

- Treasury Board Secretariat
- Department of Canadian Heritage
- Department of Justice
- Public Service Commission of Canada

- Canada School of Public Service
- House of Commons and Senate Standing Committees on Official Languages.

Strategic Outcome and Program Activity Architecture

To pursue its mandate effectively, OCOL's architecture of program activities consists of a single strategic outcome and three program activities (two of an operational nature and one of a management nature) as follows:

Strategic Outcome	Canadians' rights under the *Official Languages Act* are protected and respected by federal institutions and other organizations subject to the Act; and linguistic duality is promoted in Canadian society.	
Program Activity	1. Protection through Compliance Assurance	2. Promotion through Policy and Communications
	3. Internal Services	
Sub-Activity[1]	3.1 Governance and Management Support 3.2 Resource Management Services	

Program Activity Architecture Crosswalk

OCOL revised the wording of its strategic outcome and program activities with approval from Treasury Board in April 2008. The structure of the Program Activity Architecture (PAA) remained unchanged with a single strategic outcome and resulting program activities. The revised PAA involved no redistribution of financial resources. Descriptions for the program activities were modified slightly, as reflected in Section II of this report. A separate program activity for Internal Services was added to the OCOL PAA as per the revised profile for all federal entities since July 2008.

Former PAA included in 2008–2009 Report on Plans and Priorities	Revised PAA included in 2009–2010 Report on Plans and Priorities
Strategic Outcome: Compliance with and respect for the *Official Languages Act* by federal institutions and other organizations subject to the Act.	Strategic Outcome: Canadians' rights under the *Official Languages Act* are protected and respected by federal institutions and other organizations subject to the Act; and linguistic duality is promoted in Canadian society.
Program Activity 1: Compliance Assurance	Program Activity 1: Protection through Compliance Assurance
Program Activity 2: Policy and Communications	Program Activity 2: Promotion through Policy and Communications
	Program Activity 3: Internal Services

[1] Since the third sub-activity identified for small agencies' internal services, namely "Asset Management Services," was not materially relevant to OCOL, it was not included in the PAA.

Alignment of Program Activity Architecture to Government of Canada Outcomes

The Commissioner of Official Languages is an officer of Parliament who reports directly to Parliament and is thereby independent from government.

1.2 Performance Summary

The following table presents the financial and human resources managed by OCOL in 2008–2009.

Financial and Human Resources

2008–2009 Financial Resources ($000)		
Planned Spending	**Total Authorities**	**Actual Spending**
19,906	22,040	21,167
2008–2009 Human Resources (FTEs*)		
Planned	**Actual**	**Difference**
177.5	155.3	22.2

* Full-Time Equivalents

OCOL was allocated by Parliament $22.0 million in Total Authorities, namely $19.9 million through Main Estimates (Planned Spending) and $2.1 million through Supplementary Estimates mainly for collective agreement settlements and severance payments. In order to fulfill its mandate, OCOL spent $21.2 million, $0.8 million less than Total Authorities.

Planned FTEs reflect OCOL's allocation of Total Authorities for human resources, details of which are shown in section II of this report. The variance in FTEs is primarily due to reengineering of Compliance Assurance program activity and to ongoing challenges in recruiting personnel resulting in staffing delays.

Additional information is provided in section 3.1 of this report, under Financial Highlights.

Contribution of the Strategic Objectives to the Strategic Outcome

The 2008–2009 Report on Plans and Priorities (RPP) described the four strategic objectives that OCOL pursues, as set out in its 2008–2011 Strategic Plan. This 2008–2009 Performance Report presents OCOL's performance against key commitments made under the four strategic objectives, and Section II, "Analysis by Program Activity," states accomplishments under the PAA.

The following table presents, for each of the four strategic objectives, the key commitments made in the 2008–2009 RPP, a high-level summary of actual performance and a self-assessment of performance status based on the Treasury Board Secretariat's scale[2] of expectations. Note that

[2] Treasury Board Secretariat scale for performance status: **exceeded** – more than 100% of the expected level of performance (as evidenced by the indicator and target or planned activities and outputs) for the priority or result identified in the corresponding RPP was achieved during the fiscal year; **met all** – 100% was achieved; **mostly met** – 80% to 99% was achieved; **somewhat met** – 60% to 79% was achieved; and **not met** – less than 60% was achieved.

judgmental assessments were made using information from the regular progress reports and then translated on to the scale since no numeric target was in place in 2008–2009.

Strategic Outcome: Canadians' rights under the *Official Languages Act* are protected and respected by federal institutions and other organizations subject to the Act; and linguistic duality is promoted in Canadian society.		
Commitments Made in 2008–2009 RPP	**Performance Summary**	**Performance Status**
Strategic Objective 1: Linguistic duality, as a fundamental value, is fully integrated into the culture of federal institutions subject to the Act.		
1. Examine ways to improve dispute-resolution processes and prevention activities	In 2008–2009, OCOL completed its examination of ways to improve dispute-resolution processes and prevention activities, and began implementing a new informal dispute resolution mechanism to resolve complaints, which is now called the facilitated resolution process. Out of the 606 admissible complaints received in 2008–2009, 544 (or 90%) were treated or are currently being treated using this process, and the remaining ones are being treated by way of a formal investigation. OCOL also re-examined ways of informing deputy heads of institutions about complaints, and introduced a quarterly report that was sent to 51 deputy heads twice in 2008–2009 instead of a notice of intent for each complaint. In addition, OCOL began developing and implementing specific prevention strategies, including one to improve compliance with the Act at the Toronto Pearson International Airport and another to raise awareness with key federal institutions about official languages in advance of the Vancouver 2010 Olympic and Paralympic Games (see commitment 5 below).	Met all
2. Study the principles of governing horizontal issues while taking into account the mechanisms available to the public administration to ensure the full implementation of all parts of the Act	The Commissioner addressed horizontal governance in his 2007–2008 annual report and presented three recommendations to government on how to improve the horizontal management of official languages www.ocol-clo.gc.ca/html/ar_ra_2007_08_e.php. In addition, while these recommendations have not yet been answered, the government went through transformations[3] in February and March 2009 to simplify its organizational structure, reduce overlapping responsibilities and confirm the role of deputy heads as those having primary responsibility for human resources management in the federal administration. These changes contribute to the level of instability in human resources management and, by extension, in official languages management and coordination. The Commissioner took this opportunity to remind government leaders of the important role bilingualism plays in the public service.	Met all

[3] On February 6, 2009, the Prime Minister announced the creation of the Office of the Chief Human Resources Officer, which reports to the Treasury Board Secretariat. Since March 2, 2009, the Office has been responsible for the duties of the now-abolished Canada Public Service Agency. The Office of the Chief Human Resources Officer also carries out the Treasury Board Secretariat's former compensation and human resources management responsibilities.

Commitments Made in 2008–2009 RPP	Performance Summary	Performance Status
Strategic Objective 2: The vitality of official language minority communities in Canada is continually strengthened.		
3. Investigate receivable complaints that involve Part VII of the Act and follow up on the recommendation regarding budget cutbacks that included cancelling the Court Challenges Program	Part VII of the *Official Languages Act* sets out the federal government's commitment to enhance the vitality of Anglophone and Francophone minorities in Canada and support their development, as well as to foster full recognition and use of both English and French in Canadian society. OCOL received 29 admissible complaints under Part VII of the Act in 2008–2009. This represented 5% of the 606 admissible complaints received during the year. (See section 2.2 of this report for details.) A follow-up was conducted on the Commissioner's recommendation (from the 2007–2008 Annual Report) made to the Treasury Board Secretariat about ensuring the inclusion of Part VII requirements in expenditure reviews. As part of this follow-up, the Commissioner was informed that departments have now been instructed to discuss the impact of their activities on official language communities and to define strategies to mitigate any potential negative impact. In addition, to settle a proceeding pursuant to Part X of the Act commenced by a complainant before the Federal Court based on the Commissioner's investigation into the budget cutbacks that included cancelling the Court Challenges Program, the government announced that it would establish a new language rights support program by the end of 2009.	Met all
4. Evaluate the government's results under phase two of the *2003–2008 Action Plan for Official Languages*	The evaluation of the Government of Canada's *2003–2008 Action Plan for Official Languages* was completed, with the results included in the Commissioner's 2007–2008 Annual Report. The Government of Canada announced a new action plan to ensure an adequate level of funding for official languages. The *Roadmap for Canada's Linguistic Duality 2008–2013: Acting for the Future* takes into account some of the concerns expressed by the Commissioner, particularly the inclusion of arts and culture. OCOL is continuing to monitor this file closely, and to urge the government, through various public forums, to ensure that all measures in the Roadmap are implemented to foster the vitality of official language communities.	Met all

Commitments Made in 2008–2009 RPP	Performance Summary	Performance Status
Strategic Objective 3: Linguistic duality is recognized and promoted as a value in a diverse Canadian society.		
5. Study how the Organizing Committee for the 2010 Olympic Games applies the requirements of its official languages agreement with the federal government	In December 2008, OCOL published the study *Raising our Game for Vancouver 2010: Towards a Canadian Model of Linguistic Duality in International Sport*, in which the Commissioner made several recommendations to encourage, on the one hand, the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC) to respect the language requirements set out in Annex A of the Multiparty Agreement and, on the other hand, certain institutions, including Canadian Heritage, to support VANOC in this respect. As well, OCOL conducted an official languages awareness campaign with over 20 federal institutions that have a key role to play in the context of the 2010 Games. The campaign focused on raising awareness about the importance of integrating official languages into planning for 2010 initiatives, both in terms of service to the public and the advancement of both official languages. In general, institutions welcomed the opportunity to discuss their obligations with OCOL.	Met all
6. Highlight the need to promote the learning of both official languages by youth through all levels of education	In the context of the second phase of the *2003–2008 Action Plan for Official Languages*, OCOL launched a study on opportunities for learning a second language in Canadian universities. The first phase of the study was a survey that all Canadian universities were asked to complete in order to learn about existing opportunities for French second-language instruction and measures taken by English-language universities to encourage students to learn a second language in university or to maintain their existing knowledge of the second language. The study, to be completed in 2009–2010, also reviews the range of programs offered in Canada by bilingual and French-language universities, as well as the English second-language learning opportunities offered in Quebec.	Mostly met
Strategic Objective 4: OCOL fosters the growth and renewal of its personnel and applies the principles and practices of sound management, taking into account its independence from government.		
7. Improve OCOL's performance and risk management	In 2008–2009, OCOL revised its Program Activity Architecture (which received approval from the Treasury Board Secretariat in April 2008), and developed and approved a performance measurement framework to evaluate its work on behalf of Parliament. The framework is being implemented incrementally over three years starting in 2009–2010. OCOL formalized its first corporate risk profile, which will be updated annually and used to inform strategic and operational planning, as well as internal audit planning.	Met all
8. Develop an information management and information technology strategy	A five-year information management and information technology (IM/IT) strategic plan was developed to allow OCOL to benefit from sustainable technological solutions for current and future organizational needs. The implementation plan was initiated in 2008–2009. OCOL developed a short-term funding strategy for its IM/IT investments, and continues to work closely with the Treasury Board Secretariat to prepare a business case that OCOL will present to the Advisory Panel on the Funding and Oversight of Officers of Parliament.	Mostly met

OCOL is satisfied that all of the commitments it has made to advance its four strategic objectives announced in the 2008–2009 RPP were either met or mostly met. By introducing a new informal complaint resolution mechanism and developing prevention strategies such as the Vancouver 2010 awareness campaign, OCOL took measures in 2008–2009 to modernize its ombudsman role to ensure the language rights of Canadians are respected and to increase compliance with the *Official Languages Act*. As well, OCOL continued to monitor the government's actions and make recommendations in various forums to ensure that linguistic duality in Canada remains a priority. Finally, OCOL continued investing in organizational management, namely to define the requirements of a suitable informatics infrastructure, which is essential to program delivery, the implementation of performance measures to enhance accountability to Parliament and more integrated planning to facilitate decision making.

Risk Analysis

The external and internal factors of OCOL's operating environment that have influenced the organization's performance in 2008–2009 are discussed briefly in the following paragraphs to provide context to this report.

External Factors

OCOL observed ongoing systemic issues related to full compliance with the *Official Languages Act*, such as active offer, the availability of service in the minority official language and the use of French as a language of work in the federal public service. This, coupled with the current challenges facing Canada on the economic, political and social fronts, may give rise to a perception that the *Official Languages Act* is less important or less relevant in these particular times. To mitigate this risk, OCOL must remind Parliament and government leaders of the importance of a dynamic vision of linguistic duality and of the need to show ongoing commitment and leadership, especially in the current economic crisis. OCOL began to look at how it can improve its ombudsman role to effect change and create more lasting results for Canadians. For example, through the study released in December 2008, *Raising our Game for Vancouver 2010: Towards a Canadian Model of Linguistic Duality in International Sport*, the Commissioner issued recommendations to the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games to ensure appropriate service delivery during the event.

As well, to deliver on its mandate, OCOL must maintain its real and perceived independence from government to provide unbiased advice and information to Parliament and institutions subject to the Act. Yet, the Commissioner of Official Languages is an officer of Parliament who applies central agency administrative policies in part or in whole; as such, his independent status may be challenged if not well understood. To manage this risk, OCOL and other officers of Parliament continued examining central agency policies and requirements and working with the Treasury Board Secretariat to determine the appropriate application of these policies in a manner that respects the independence of officers of Parliament.

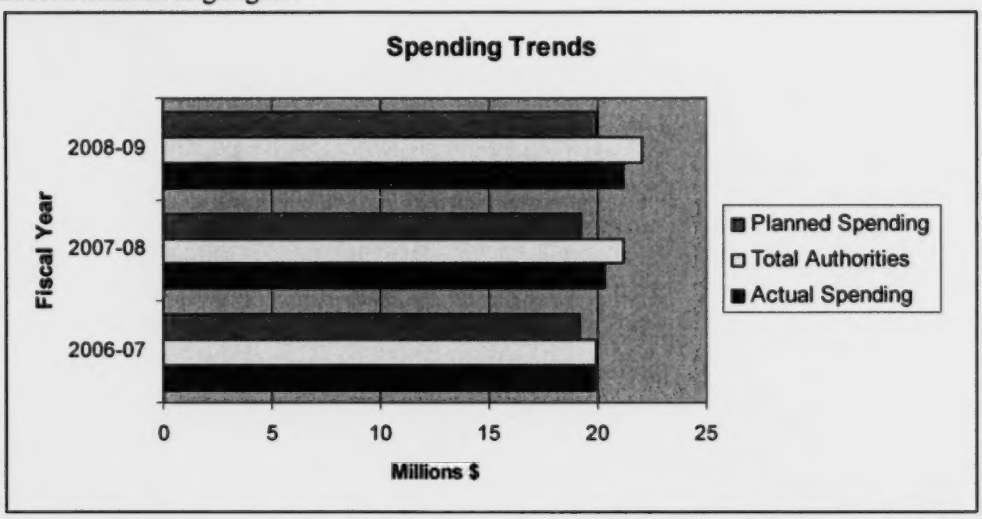
Internal Factors

Staff turnover at OCOL was 22% in 2008–2009, including the turnover of several senior management positions. This had some impact on the organization. In addition, a major restructuring exercise took place within one of OCOL's five sectors, to implement an organizational structure that better meets its current and future needs.

OCOL's informatic infrastructure currently limits the organization in the scope of some of its compliance assurance, promotion of linguistic duality and accountability activities. OCOL must therefore renew its infrastructure and related technological tools, which requires new investments. OCOL is working in close cooperation with the Treasury Board Secretariat to prepare a proposal that will be presented to the Advisory Panel on the Funding and Oversight of Officers of Parliament.

Expenditure Profile

OCOL's actual spending for 2008–2009 was $21.2 million. Over the past three years, actual spending has increased by 16%. This increase was primarily due to collective agreement settlements and additional funding received for the development and implementation of the access to information and internal audit functions. The chart below shows OCOL's spending trend over a three-year period. Additional information is provided in section 3.1 of this report, under Financial Highlights.



Voted and Statutory Items

The following table shows the voted items Parliament approved through the Main Estimates, with its supply bills.

($000)		2006–2007	2007–2008	2008–2009	
Voted or Statutory Item	**Truncated Vote or Statutory Wording**	**Actual Spending**	**Actual Spending**	**Main Estimates**	**Actual Spending**
20	Program expenditures	17,931	18,384	17,764	19,173
Statutory items	Contributions to employee benefit plans	1,901	1,962	2,142	1,994
	Total	19,832	20,346	19,906	21,167

Section II: Analysis by Program Activity

2.1 Strategic Outcome

This section presents OCOL's progress in 2008–2009 toward its strategic outcome through activities carried out under the three program activities of its PAA (or OCOL's ongoing activities grouped under six expected results[4]). Each of the following sub-sections discusses one program activity in the following manner:

- Describing what is involved in the program activity (defined according to implementation of the Management, Resources, and Results Structure Policy);
- Reporting on resource use in 2008–2009;
- Presenting a summary of OCOL's performance based on expectations, including a performance status using the Treasury Board Secretariat scale (refer to Section 1.2 for a description of the scale);
- Discussing what benefits Canadians derived from the activities delivered by OCOL in terms of the protection of and respect for language rights and the promotion of linguistic duality in Canadian society;
- Providing an overall analysis of OCOL's performance in 2008–2009; and
- Identifying lessons learned from this year's activities.

In the next few years, OCOL will be in a position to provide a more results-based performance story (compared to this report, which is primarily activity based) since in 2009–2010 it started to implement its performance measurement framework developed in 2008–2009. As mentioned earlier in this report, OCOL applied judgmental assessments using information from the regular monitoring reports to use the Treasury Board Secretariat's scale since no numeric target was in place in 2008–2009.

2.2 Program Activity 1: Protection Through Compliance Assurance

Activity Description

Through this program activity, OCOL investigates complaints filed by citizens who believe their language rights have not been respected, evaluates compliance with the *Official Languages Act* by federal institutions and other organizations subject to the Act through performance measurements and audits, and intervenes proactively to prevent non-compliance with the Act. As well, OCOL may intervene before the courts in cases that deal with non-compliance with the *Official Languages Act* or the *Canadian Charter of Rights and Freedoms*.

[4] The expected results stated in the 2008–2009 RPP are essentially the same ones presented in this 2008–2009 performance report, with only minor wording changes.

Program Activity 1: Protection Through Compliance Assurance					
2008–2009 Financial Resources ($000)			2008–2009 Human Resources (FTEs)		
Planned Spending	Total Authorities	Actual Spending	Planned	Actual	Difference
9,133	10,113	9,537	90.3	71.6	18.7

Parliament approves appropriations for OCOL, and these resources are allocated to program activities in order to fulfill OCOL's mandate. In 2008-2009, $10.1 million and 90.3 FTEs were allocated to this program activity, including its share of Internal Services.

Total Authorities include the Main Estimates (Planned Spending) approved at the beginning of the year and Supplementary Estimates approved during the year. The increase of $0.4 million (4 percent) in Total Authorities from 2007–2008 is mainly due to its share of collective agreement settlements, payments of severance pay, parental benefits and vacation pay.

Planned FTEs reflect the resources available as part of Total Authorities. In 2008-2009, 71.6 full-time equivalent (FTE) employees were used. This represents 79.0% percent of the planned 90.3 FTEs. It also represents a decrease of 1.4 (1.9 percent) in the number of FTE employees used from last year, due to reengineering activities and subsequent delays in staffing. In 2007–2008, OCOL used 73 FTE employees, representing 84.9 percent of the planned 86 FTE employees.

Additional info is provided in section 3.1 of this report, under Financial Highlights.

Expected Results	Performance Summary	Performance Status
1. Canadians receive timely and appropriate responses to their complaints, requests for action and inquiries	**Investigations:** From April 1, 2008 to March 31, 2009, OCOL received 785 complaints related to the implementation of the *Official Languages Act*. Of those complaints, 606 (77%) were considered admissible because, in OCOL's opinion, they related to an obligation set out in the Act, involved an institution subject to the Act and concerned a specific incident. Of the 606 admissible complaints recorded during this period, 62% involved language of service; 17%, language of work; 5%, the advancement of English and French; 9%, the language requirements of positions in the federal public service; and 1%, equitable participation. In total, OCOL closed 513 complaint files during the fiscal year, with 927 files remaining open as of March 31, 2009. As mentioned in Section 1.2 of this report, under Commitment 1, OCOL began implementing a new dispute resolution process applicable to most complaints, to provide a more effective service to Canadians where appropriate. OCOL also started developing service standards in 2008–2009 to respond in a more timely fashion to complaints beginning in 2009–2010. **Requests for information:** In 2008–2009, OCOL responded to more than 400 requests for information by telephone and in writing on the application of the *Official Languages Act* and related subjects.	Mostly met

Expected Results	Performance Summary	Performance Status
2. Federal institutions and other organizations subject to the *Official Languages Act* are fully aware of the extent of their compliance under the Act and what they need to do to fulfil their obligations under the Act	OCOL maintains regular contact and shares information with official languages coordinators across Canada, namely through attendance at the various departmental committees on official languages and regular liaison with federal institutions. **Audits:** OCOL updated its external audit policy to reflect the renewed ombudsman role of the Commissioner. The audit methodology, through a more collaborative approach with audited institutions, seeks the commitment of senior leaders to achieve positive, sustainable results for Canadians. OCOL published the following two audits in 2008–2009: - Audit of Service to the Public at Agriculture and Agri-Food Canada (March 2009) - Audit of the Bilingual Weather and Environmental Services Provided on the Environment Canada Automated Telephone Network (November 2008). Both departments targeted by the audits cooperated with OCOL, and action plans were developed on how they intend to implement the Commissioner's recommendations. Audits of National Defence and the Halifax International Airport Authority were undertaken during the year, with reports to be published in late 2009. In addition, preparatory work was begun for an audit of services provided by Service Canada in the form of in-person and telephone observations. The audit itself will be conducted in 2009-2010, based in part on the observation data collected in 2008-2009. Four follow-ups to previous audits were completed during the fiscal year: - Audit of Services to the Public at Highway Border Crossings of the Canada Border Services Agency – Follow-up (August 2008) - Audit of the Management of the Official Languages Program at Public Works and Government Services Canada – Follow-up (August 2008) - Audit of the Community Futures Development Corporations and Community Business Development Corporations – Follow-up (August 2008) - Audit of the Implementation of Section 41 of Part VII of the *Official Languages Act* by the Canadian Tourism Commission – Follow-up (August 2008). The large majority of the Commissioner's recommendations were implemented by the institutions targeted by these audit follow-ups.	Met all

Expected Results	Performance Summary	Performance Status
(continued)	**Performance Measurement:** Under the renewed approach to the Commissioner's ombudsman role, OCOL modified the method used to prepare its performance report cards. The new method has a stronger focus on achieving concrete and sustainable results using a revised rating guide and a more customized procedure to assess and contextualize indicators. The assessments now include services offered by e-mail as a source of information and are prepared on a two-year cycle (year one focuses on separate employers and year two on institutions). In 2008–2009, OCOL piloted its first horizontal report card focusing on the services offered at five major Canadian airports (Vancouver, Toronto, Ottawa, Montréal and Halifax). This report card provided valuable information to the Commissioner, airport authorities and key stakeholders on the experience of travellers at each airport, with a particular emphasis on services provided by the Canadian Air Transport Security Authority, Air Canada, airport authorities and several third-party service providers. These report cards are available on OCOL's Web site at www.ocol-clo.gc.ca/html/ar_ra_2008_09_p13_e.php. **Court Interventions:** During the relevant period, three judgments[5] were rendered in cases where the Commissioner acted as a party or intervener, including two from the Supreme Court of Canada (*Société des Acadiens et Acadiennes du Nouveau-Brunswick Inc. v. Canada*, 2008 SCC 15; Desrochers v. Canada (Industry), 2009 SCC 8). These judgments not only provide definite answers on issues of compliance for the federal institutions involved, but also contribute more generally by serving as interpretive tools and benchmarks for ongoing compliance activities and similar issues involving other federal institutions.	Met all Met all

[5] *Northwest Territories (Attorney General) v. Fédération Franco-Ténoise*, 2008 NWTCA 05 ; *Société des Acadiens et Acadiennes du Nouveau-Brunswick Inc. v. Canada*, 2008 SCC 15; Desrochers v. Canada (Industry), 2009 SCC 8.

Benefits for Canadians from this Program Activity

This program activity of Protection Through Compliance Assurance directly addresses the needs of Canadians to have their language rights protected through the investigation of complaints, the audit of institutions, the preparation of report cards, prevention initiatives and the use of court remedy. The Commissioner of Official Languages is an officer of Parliament, independent from government, to whom Canadians can turn with questions or concerns about their language rights. The Commissioner's annual report is an opportunity to increase parliamentarians' and Canadians' awareness of the status of Canada's two official languages and to identify areas requiring improvement through recommendations outlined in the Report.

Performance Analysis

In 2008–2009, OCOL met nearly all of its commitments with respect to this program activity. All major functions underwent significant changes as a result of the renewal of the Commissioner's ombudsman role, including the complaint resolution process, the audit process and official languages report cards. Highlights for the year include the successful introduction of the facilitated resolution process for complaints and the new airport report cards. Dealing with a backlog of complaints and staffing issues were some of the challenges affecting Expected Result 1 above.

Lessons Learned

Although the backlog of complaints was slightly reduced, complaints were not always resolved as quickly as desired, due in part to the transition to a new complaint resolution process, which involved training gaps, and in part to staff turnover. Ensuring an adequate capacity level of resources to effectively respond to complaints is a priority in 2009–2010. In addition, the transition to a new complaint resolution process has underlined the need for new IM/IT infrastructure to provide managers with the data they need to manage this process.

2.3 Program Activity 2: Promotion Through Policy and Communications

Activity Description

Through this program activity, OCOL works with parliamentarians, federal institutions and other organizations subject to the *Official Languages Act*, official language communities and the Canadian public to promote linguistic duality. OCOL builds links between federal institutions, official language communities and the different levels of government to help them better understand the needs of official language communities, the importance of bilingualism and the value of respecting Canada's linguistic duality. To fulfill its promotion role, OCOL conducts research, studies and public awareness activities, and intervenes with senior federal officials to instil an organizational culture that fully integrates linguistic duality.

Program Activity 2: Promotion Through Policy and Communications					
2008–2009 Financial Resources ($000)			2008–2009 Human Resources (FTEs)		
Planned Spending	Total Authorities	Actual Spending	Planned	Actual	Difference
10,773	11,927	11,630	87.2	83.7	3.5

Parliament approves appropriations for OCOL. The resources are allocated to OCOL's program activities in order to fulfill its mandate. In 2008-2009, $11.9 million and 87.2 FTEs were allocated to this program activity, including its share of Internal Services.

The increase of $0.5 million (4.3 percent) in Total Authorities from 2007–2008 is mainly due to its share of the collective agreement settlements, payments of severance pay, parental benefits and vacation pay.

Planned FTEs reflect the resources available as part of Total Authorities. In 2008-2009, 83.7 FTEs were used. This represents 96.0% percent of the planned 87.2 FTEs. This represents an increase of 5.7 (7.3 percent) in the number of FTE employees used from last year. In 2007–2008, OCOL used 78 FTE employees, representing 96.3 percent of the planned 81 FTE employees.

Additional info is provided in section 3.1 of this report, under Financial Highlights.

Expected Results	Performance Summary	Performance Status
3. Parliament receives useful advice and information about the official languages implications of evolving legislation, regulations and policies	**Appearances before Parliament:** The Commissioner appeared before parliamentary committees five times in 2008–2009. First, in May 2008, he appeared before the Standing Committee on the Status of Women to comment on the role of officers of Parliament. The Commissioner also appeared in May before the House of Commons Standing Committee on Official Languages on the appointment of judges. Consequently, the government proposed the nomination of a new bilingual judge to the Supreme Court of Canada, an announcement that was well received by all stakeholders. Then, in June 2008, he presented his 2007–2008 annual report to the Standing Senate Committee on Official Languages and the House of Commons Standing Committee on Official Languages. Finally, in February and March 2009, he appeared before the same two committees to present his findings on the implementation of Part VII of the *Official Languages Act*, preparations for the Olympic Games, the television production industry, public service renewal and the Canadian Forces. A section specifically for parliamentarians was added to OCOL's Web site www.ocol-clo.gc.ca/html/parliamentarians_parlementaires_e.php. **Legislative Monitoring:** In terms of Bill C-31 (modifying the *Judges Act*), the Commissioner made a written submission to the Senate Standing Committee on Legal and Constitutional Affairs to raise awareness among its members of the importance of reviewing the process used to appoint judges. More specifically, the Commissioner highlighted the importance of having an adequate number of bilingual judges in the superior courts to ensure equal access to justice in both official languages. The Commissioner also used the occasion to discuss his views on the process for appointing judges to the Supreme Court of Canada.	Met all Met all

Expected Results	Performance Summary	Performance Status
4. The public, official language minority communities, the media and federal institutions and other organizations subject to the Act have access to information and tools to understand official language rights and obligations and the importance of linguistic duality in Canada	**Annual Reports:** The 2007–2008 Annual Report was released on May 29, 2008. In it, the Commissioner noted that the absence of an overall vision explained the government's lacklustre record in official languages. He emphasized that a global vision and coherent leadership are required if federal institutions are to meet official languages challenges. The Commissioner considers public service renewal, the language of work in federal institutions and demographic change to be three major issues. He included seven recommendations in the report. Through strategic meetings with ministers and key stakeholders in the National Capital Region and through activities in the regions, the Commissioner conveyed the main points of his conclusions and the importance of linguistic duality as a central value of Canadian identity and bilingualism. The report's release generated 279 mentions in Canadian media. Production of the 2008–2009 Annual Report also took place during this period. The report looks back on the 40 years of the *Official Languages Act*. **Promotion and Education:** To provide a better understanding of the goals of the *Official Languages Act* as well as OCOL's mandate and the official languages program in Canada to the Canadian public, parliamentarians and federal public servants, in 2008–2009 the Commissioner: - carried out 90 interviews (1,447 mentions in Canadian media); - gave 41 speeches at conferences and public events, thereby reaching important target audiences, such as federal and provincial institutions, official language community leaders, the education sector, youth and language professionals; - issued 11 news releases, in particular on the results of four audits of seven institutions, the federal government's announcement of a new official languages plan, priorities for Quebec's English-speaking communities and federal government leadership in official languages. Official languages were also promoted in various ways, for example, 43 information booths (15 national and 28 regional events) reaching some 23,000 people, and the publication of two issues of OCOL's on-line newsletter *Beyond Words / Au-delà des mots*, which has 1,200 subscribers. Québec City celebrated its 400th anniversary in 2008. This event provided OCOL with a unique opportunity to raise awareness among Canadians about linguistic duality, particularly by underlining the importance of official language communities from one end of the country to the other. OCOL was represented by a booth in the Canada Tent on the Plains of Abraham over the course of 80 days. More than 12,000 people visited OCOL's booth, where the value of two official languages in Canadian society were described and promoted. Also as part of the 400th anniversary activities, a representative from OCOL served as President of the 29th annual congress of the Association des juristes d'expression française de l'Ontario. Under the theme "La justice en français au-delà des remparts," the congress was an	Met all Met all

Expected Results	Performance Summary	Performance Status
(Continued)	opportunity to bring together the French-speaking legal communities of Ontario and Quebec, and to celebrate the fundamental values shared by these communities in a bijural, bilingual country. During the congress, a questionnaire game on language rights was organized to promote language rights in an original way to a larger audience. The activity was an outstanding success and resulted in effective cooperation among key players from the government, legal and community sectors to share relevant information on current affairs involving language rights. Since 2009 is the 40th anniversary of the *Official Languages Act*, OCOL reviewed its global communications strategy for 2008–2010 to include activities that will highlight this event. The Young Professionals Network was established at OCOL in 2007 for young employees and the young at heart, in part to give them a voice within the organization, to provide training opportunities and to allow them to become ambassadors for official languages and OCOL to other public servants and Canadian society. As an official languages ambassador, the Network launched a strategy in 2008 to better understand the issues and challenges involved in language of work (Part V of the Act) facing young public servants in federal institutions, and to implement measures that will help them overcome these challenges. A discussion forum has already been held with young public servants working in the field of official languages to help the Network better understand their situation. Another discussion forum open to young public servants from linguistic majorities and minorities as well as an awareness campaign are being planned for the fall of 2009. Through its efforts, the Network is seeking to make young public servants aware of their language-of-work rights and to find ways to change the organizational culture of federal institutions so linguistic duality becomes recognized as a value rather than a burden. **Court Interventions:** In December 2008, the Commissioner appeared as an intervener before the Supreme Court of Canada in the cases of *Ministre de l'Éducation, du Loisir et du Sport, et al. v. Hong Ha Nguyen, et al.* as well as *Ministre de l'Éducation, du Loisir et du Sport, et al. v. Talwinder Bindra.* While no decision has been rendered during the relevant period, the Commissioner's participation will surely contribute to the interpretation of the Charter rights involved. The judgment of the Court will serve as a tool in the future to interpret language rights under section 23 of the *Canadian Charter of Rights and Freedoms*. **Regional Liaison With Official Language Communities:** Meetings and presentations were organized in the regions with organizations and federal institutions as well as other levels of government in 2008–2009. More than 1,500 people participated. OCOL was very active in its promotion and education roles. Here are just a few examples:	Met all Met all

Expected Results	Performance Summary	Performance Status
(Continued)	- In Atlantic Canada, OCOL discussed the importance of encouraging federal institutions to respect their responsibilities under Part VII of the Act with members of the Association des juristes d'expression française de la Nouvelle-Écosse. - In Quebec, through participation in the annual forum of the National Council of Visible Minorities, OCOL linked linguistic duality and diversity as complementary Canadian values and sources of pride for all federal public servants. - In Ontario, OCOL gave a presentation on official languages and on its mandate to the Advisory Committee of the Modern Language Centre at the University of Toronto. - In the Prairies, OCOL participated as a member of the Communications and Marketing Circle of the Coalition for the Promotion of the French Language and Francophone Culture's promotional campaign "Bonjour Saskatchewan," whose goal is to increase awareness of enrolment in French-language instruction programs in Saskatchewan. - In the West and North, OCOL worked with the University of Alberta to build alliances between the official language minority communities of Alberta and members of the Métis Association of Alberta as a follow-up to the spring conference about Laurent Garneau, a prominent Alberta Métis of the early 1900s.	
	Participation at Federal Councils: OCOL works proactively with the regional federal councils to support them as official language leaders and encourage activities that help member institutions meet their commitments under the *Official Languages Act*. In particular, OCOL participates in the strategic planning of the councils to influence the development of strategic objectives in which linguistic duality remains a priority and ensure the needs of minority-language communities and goals of the Act are taken into account appropriately. OCOL is involved in many of the councils' committees, such as the Public Service Renewal Steering Committee in Quebec, the Comité d'orientation des affaires francophones de Terre-Neuve et Labrador, the Official Languages Training Sub-Committee, the Human Resources Leadership Council of Ontario and the Leaders' Advisory Board in Saskatchewan. Participation in federal councils is also a meaningful opportunity to clarify legislative requirements for new members in the context that is particular to each province.	Met all
	Representations to Central Agencies and Other Organizations: OCOL communicated its concerns regarding arts and culture to the Department of Canadian Heritage following the announcement of funding cuts by the Government of Canada. Representatives of the Commissioner also worked with various organizations to encourage federal institutions to assume their responsibilities under Parts IV and VII of the Act.	Met all

Expected Results	Performance Summary	Performance Status
(continued)	OCOL also worked with CBC/Radio-Canada and the Canadian Radio-television and Telecommunications Commission to clarify their obligations under Part VII. Similar interventions were made with Canada Economic Development, making the Minister and employees aware of the concerns of Quebec's English-speaking community regarding Canada Economic Development's obligations under Part VII.	
5. Canadian public policy is influenced by research and analyses on language rights and linguistic duality issues	**Research:** In 2008–2009, OCOL published two studies, which are available on the Web site www.ocol-clo.gc.ca/html/etudes_studies_e.php: - Shadows over the Canadian Television Landscape: The Place of French on the Air and Production in a Minority Context (January 2009) - Vitality Indicators for Official Language Minority Communities (2 of 3): The English-Speaking Communities in Quebec (June 2008) Other studies were undertaken during the year and will be published in 2009–2010. Following the first discussion forum on the perception of Canadians of diverse origins on the topic of linguistic duality, which was held in Toronto last October, participants received a copy of the final report in May 2008 www.ocol-clo.gc.ca/html/discussion_forum_e.php. A second forum, whose main goal was to gain a better understanding of the perceptions of Canadians of diverse origins regarding linguistic duality and the links between linguistic duality and cultural diversity, was held in Vancouver in December 2008. The forum also aimed to develop ties with participants, to pursue and expand on this crucial dialogue. A report on the forum will be published on OCOL's Web site in 2009–2010.	Met all

Benefits for Canadians from this Program Activity

This program activity of Promotion Through Policy and Communications addresses the right of Canadians to learn more about Canada's two official languages. One of the Commissioner's main responsibilities is to support linguistic duality in both the public service and Canadian society. To carry out this responsibility, the Commissioner raises Canadians' awareness of the benefits of linguistic duality, works with community organizations and encourages various organizations subject to the Act to give official languages and minority communities the attention they deserve. The tabling of the Commissioner's annual report provides an opportunity to increase parliamentarians' and Canadians' awareness of the status of Canada's two official languages in society, in addition to identifying areas of improvement through the recommendations outlined in the report. The promotion and education responsibilities are carried out mainly through research, studies and public awareness activities.

Performance Analysis

The 400th anniversary of Québec City provided an opportunity for OCOL to increase Canadians' awareness of the values of linguistic duality and the important role that official language communities play across the country. As well, in 2009, the *Official Languages Act* is celebrating

its 40th anniversary and OCOL takes this opportunity, through a series of activities and research launched in 2008–2009, to mark this milestone by promoting the role and importance of bilingualism in Canada.

In 2008–2009, OCOL met all of its commitments with respect to this program activity. It used innovative approaches in promoting the values and contribution of linguistic duality in Canada.

Lessons Learned

Building on activities such as the 400th anniversary of Québec City and taking an active role during such events provides OCOL with a greater opportunity to promote linguistic duality in Canada. Working closely with others is a practice OCOL will continue to apply through its various activities, including research.

2.4 Program Activity 3: Internal Services

Activity Description

Internal Services are groups of related activities and resources administered to support the needs of OCOL's other program activities and corporate obligations. OCOL is a small organization, and as such, its Internal Services include only two sub-activities: governance and management support, and resource management services.

Reporting requirements for 2008-2009 are in line with the 2008-2009 RPP and Internal Services' resources allocated and spent are reallocated between the two approved program activities reported in the Main Estimates and Public Accounts (see Section 1 of this report).

Given the legislated requirement to pursue court action under the law, legal services form part of Program Activity 1 – Protection Through Compliance Assurance. Equally, given its specific mandate, OCOL's communications services form part of Program Activity 2 – Promotion Through Policy and Communications.

Expected Result	Performance Summary	Performance Status
6. The Office of the Commissioner of Official Languages provides high-quality internal services, manages resources responsibly, and applies sound management practices	**Human Resources Management:** The focus of activities in 2008–2009 to pursue the implementation of OCOL's human resources strategy was on recruitment (including employment equity [EE]), training and development, and retention. Recruitment: - OCOL received a good mark[6] from the Public Service Commission on its annual staffing accountability report. The organization implemented the recommendations from its first active monitoring report.	Exceeded

[6] OCOL received a performance rating of "acceptable" for eight of 10 performance indicators and an "opportunity for improvement" rating for two of the performance indicators. No area of activity was identified as requiring immediate attention.

Expected Result	Performance Summary	Performance Status
(continued)	- To make employment equity (EE) a priority at OCOL, a new EE committee was formed in 2008–2009 and a three-year EE plan was developed. Implementation of the plan started in 2008–2009 and will continue next year. - A student recruitment program was also implemented. Training and Development: - A training program for aspiring senior managers was developed to prepare a new generation of senior managers within the organization. The program focuses on leadership training and experience. - OCOL organized a number of training sessions, including sessions with the Young Professionals Network, to contribute to the personal and professional development of employees. A strategy to become an employer of choice was also developed, as well as student recruitment and hiring guidelines. Retention: - OCOL developed a marketing strategy to position the organization as an employer of choice, to be implemented in 2009–2010. A succession planning process for key positions has been developed and piloted in one sector of OCOL, along with an innovative management tool that shows quarterly progress on staffing, knowledge transfer, organizational design, and training and development. The process addresses risk management associated with each key position. The piloted model will be implemented across the organization in 2009–2010. - Also, OCOL launched an orientation program for new employees, which includes a kit with a welcome video clip and various tools. The recognition awards program was rejuvenated for valuing employees across the organization. Several key initiatives were developed to address suggestions made by employees as a result of the 2005 Public Service Employee Survey. - As well, a more rigorous approach to human resources planning, linked to business planning, was developed and implemented. **Financial Management**: For the sixth consecutive year, OCOL received an unqualified opinion on its financial statements from the Office of the Auditor General of Canada following the audit of the financial statements for 2008–2009.	Met all

Expected Result	Performance Summary	Performance Status
(continued)	**Information Management/Information Technology**: As a first phase to ensuring the viability of its IT infrastructure, OCOL completed the upgrade of its bandwidth, put in place maintenance contracts and continued to train its IT personnel in accordance with the IM/IT strategic plan. OCOL approved its corporate security policy in 2008–2009. It has developed an IT business continuity plan and has started to integrate security requirements into the infrastructure technical specifications. Practices in information management, processes and procedures were updated to formalize records and correspondence management within OCOL. OCOL has also worked at developing a funding strategy to address the serious challenge of renewing its informatics infrastructure. In 2008–2009, OCOL received 23 requests and 12 consultations under the *Access to Information Act* and two requests under the *Privacy Act*. It was able to respond to all requests within the required timelines. During this period, two complaints were filed against OCOL with the Information Commissioner: the first was abandoned by the complainant and the second was carried over to 2009–2010. *Info Source* was updated to increase conformity with the access to information and privacy acts.	Mostly met
	Business Planning and Management Practices: OCOL met its goal of starting the development of a performance measurement framework in 2008–2009, and began its three-year implementation by defining measurement instruments for baseline data in 2009–2010. OCOL started an integrated planning process by adding human resources, IM/IT and budget information to its operational planning exercise. In response to the renewal of the Commissioner's ombudsman role, OCOL reorganized its compliance assurance group around portfolios to deliver the best service possible. Change management efforts have supported this work in 2008–2009 for a progressive and effective transition.	Met all
	Internal Audit: The internal risk-based audit plan (www.ocol-clo.gc.ca/html/internalaudit_verifinterne_e.php) was presented to the Audit Committee and approved by the Commissioner. As identified in the plan, the audit of human resources management practices was conducted in 2008–2009, with the report expected to be completed in 2009–2010. The Audit Committee prepared and approved its first annual report (http://www.ocol-clo.gc.ca/html/arac_racv_e.php), covering the period since its inception in October 2007 to March 31, 2009, during which time the committee held five meetings.	Met all

Performance Analysis

OCOL has taken a number of important first steps in 2008–2009 by integrating the planning requirements for its human, financial and IM/IT resources, and by preparing for the implementation of its performance measurement framework. These represent notable changes for the organization, which will be implemented gradually over several years. OCOL has also worked at developing a funding strategy to address the serious challenge of renewing its informatics infrastructure.

Lessons Learned

In its effort to improve management practices, OCOL takes into account its small size as an organization and its limited capacity. The transition to more integrated planning is already producing results by providing the management team with better information for the decisions it makes. Nonetheless, this is a major change that requires new tools and methods. Also, the performance measurement exercise launched this year is demonstrating the degree to which renewed information technology and information management infrastructure is necessary.

Section III: Supplementary Information

This section presents the financial highlights, lists some supplementary information tables relevant to OCOL, and refers to other items of interest.

3.1 Financial Highlights

Audited Financial Statements

OCOL's audited financial statements for the year ended March 31, 2009 can be found on OCOL's website at http://www.ocol-clo.gc.ca/html/finstate_etatsfin_e.php

Planned Spending, Total Authorities and Actual Spending

The headings Planned Spending, Total Authorities and Actual Spending displayed in financial tables earlier on in this report can be explained in summary form as follows:

- Planned Spending is the basic funding provided by Parliament at the beginning of the year by means of the Main Estimates.
- Total Authorities include both the Main Estimates (Planned Spending) for the year as well as any additional or supplementary funding provided by Parliament during the year.
- Actual Spending represents the cash related expenses and acquisitions of assets such as tangible capital assets made during the year and not the non-cash expenses incurred during the year as per the financial statements (i.e. services provided to us free of charge by other departments).

Parliamentary appropriations approved (Total Authorities)

Section II of this report presents the financial and human resources approved by Parliament and allocated to OCOL as per its Program Activity Architecture approved by the Treasury Board – refer to section 1.1 of this report.

In 2008-2009, Parliament approved $22 million. These appropriations are composed of $19.9 million in Main Estimates (Planned Spending) and a further $2.1 million in Supplementary Estimates. The $2.1 million include the carry-forward funding[7] ($0.8 million), collective agreement settlements ($0.8 million) and parental leave and severance payments ($0.5 million).

In 2007-2008, Parliament had approved $21.2 million. The increase of $0.8 million in 2008-2009 is mainly related to the increase in Main Estimates pertaining to the development and implementation of the access to information and the internal audit functions in 2007-2008.

[7] OCOL, subject to Parliament approval, may carry forward lapsed amounts of up to 5 percent of its operating budget (based on Main Estimates program expenditures) into the next fiscal year. OCOL lapsed $0.8 million mainly due to reengineering and staffing activities.

Parliamentary appropriations used (Actual Spending)

In 2008–2009, OCOL spent $21.2 million of the $22 million in parliamentary appropriations approved. The amount spent by program activity is reported in section II of this report.

Full-time equivalents used

The summary table of resources in section 1.2 of this report indicates that OCOL used 155.3 full-time equivalent (FTE) employees in 2008–2009, which represents 87.5 percent of its planned 177.5 FTEs. Despite the ongoing challenges in recruiting and retaining staff, this represents an increase of 4.3 (3 percent) in the number of FTE employees used from last year. In 2007–2008, OCOL used 151 FTE employees, representing 90.5 percent of its planned 167 FTE employees. The increase of 10.5 FTE from 2007-2008 is related to 6.0 additional FTEs as a result of additional appropriations received for the development and implementation of the access to information and the internal audit functions. OCOL further increased the planned FTEs by 4.0 by reallocating resources originally planned for other operating expenses in order to meet operational requirements related to internal services.

Condensed Statement of Operations for the year ended March 31, 2009

	2008-2009			2007-2008
Operating Expenses	**Compliance Assurance**	**Policy and Communications**	**Total**	
Salaries and employee benefits	$ 7,744,279	$ 8,740,267	$ 16,484,546	$ 14,853,928
Professional and special services	1,612,725	2,375,866	3,988,591	4,107,360
Accommodation	704,888	1,014,352	1,719,240	1,735,000
Transportation and telecommunications	447,606	713,370	1,160,976	1,068,184
Amortization of tangible capital assets	305,130	439,089	744,219	751,570
Other expenses (Note 1)	241,943	594,190	836,133	695,430
Net cost of operations	**$ 11,056,571**	**$ 13,877,134**	**$ 24,933,705**	**$ 23,211,472**

Note 1: Other expenses regroup utilities, materials and supplies, communication and printing, repairs and maintenance, rentals of photocopiers and other items. The increase from 2007-2008 is mainly related to new computer operating software for the network.

OCOL must report appropriations used (Actual Spending) which are displayed in the Public Accounts of Canada and not appropriations set aside for non-cash expenses.

The timing differences are reconciled as follows:

	2008-2009	2007-2008
Net cost of operations per audited financial statements	**$ 24,933,705**	**$ 23,211,472**
Add or Deduct: Non-cash expenses affecting net cost of operations but not affecting appropriations		
Amortization of tangible capital assets	(744,219)	(751,570)
Services provided without charge by other government departments (Note 2)	(2,922,992)	(2,691,000)
Increase in accrued employee severance benefits	(501,834)	(180,223)
Other adjustments	(50,029)	80,017
	20,714,631	19,668,696
Add : Cash expenses not affecting net cost of operations but affecting appropriations		
Tangible capital asset acquisitions	452,124	676,928
Current year appropriations used (Actual Spending)	**$ 21,166,755**	**$ 20,345,624**

Note 2: the Services provided without charge by other government departments refer mainly to the accommodations provided by Public Works and Government Services Canada for the Ottawa headquarters and five regional offices and three satellite offices ($1.7 million) – reported separately in the financial statements and contributions covering employers' share of employees' insurance premiums and expenditures paid by Treasury Board Secretariat ($1.1 million) – reported as part of the benefits in the financial statements.

Cost of operations reported in the audited financial statements

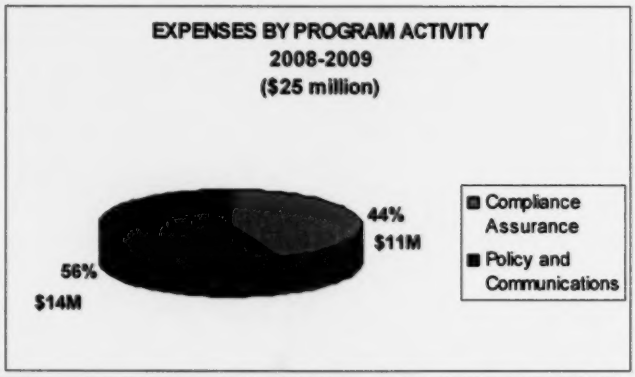
In 2008–2009, OCOL's net cost of operations was $25 million, as reported in OCOL's audited financial statements.

This increase of $1.8 million (7 percent) from 2007–2008 is mainly due to increases in salary and benefits of $1.7 million explained by an increase of 4.3 FTEs from 2007-2008, collective agreement settlements, payments of severance pay, parental benefits and vacation pay, provision for accrued severance benefits and OCOL's share of the TBS-employer's share of insurance premiums. Other operating expenses have increased overall by $0.1 million. The latter includes Professional and Special Services. Being a small agency, OCOL does not have on staff all the expertise required to fulfil its mandate. These services much as in 2007-2008, represent the second highest expense after salaries and benefits: roughly 17% of the Net cost of operations.

Allocation of cost of operations by program activity

The audited 2008-2009 Financial Statements displays OCOL's allocation of the $25 million to program activities.

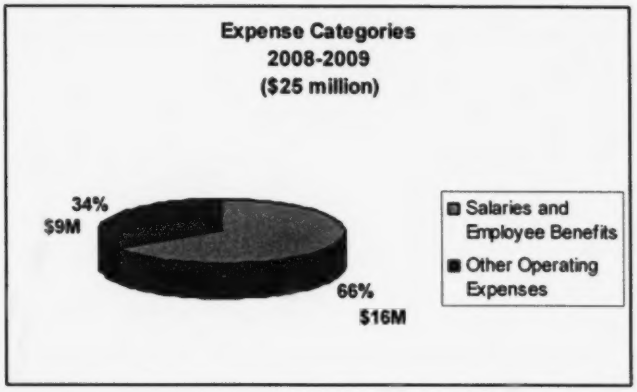
The Conformity Assurance Program Activity represents 44% of Operating Expenses whereas the Policy and Communications Program Activity represents 56%.



Allocation of cost of operations by expense categories

The audited 2008-2009 Financial Statements also report $25 million in operating costs.

Salaries and Employee Benefits represent 66% of Operating Expenses whereas Other Operating Expenses represent 34%.



3.2 List of Supplementary Information Tables

All electronic supplementary information tables in the 2008–2009 Performance Report can be found on the Treasury Board Secretariat's Web site at the following address www.tbs-sct.gc.ca/estsd-bddc/index-eng.asp.

Table 1: User Fees/External Fees

- OCOL is subject to the *Access to Information Act* starting April 1, 2007.

Table 1-A: User Fees – *User Fees Act*
Table 1-B: User Fees – Policy on Service Standards for External Fees

3.3 Other Items of Interest

Statutory reports, publications and other information are available from the Office of the Commissioner of Official Languages, 344 Slater St., 3rd Floor, Ottawa, Ontario, K1A 0T8; telephone: 613-996-6368 and on OCOL's Web site at www.ocol-clo.gc.ca.